

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re OPENWAVE SYSTEMS, INC.) Master File No. C-06-03468-SI
SHAREHOLDER DERIVATIVE)
LITIGATION)
) [PROPOSED] ORDER CONSOLIDATING
) ACTIONS

This Document Relates To:)
)
) ALL ACTIONS.)

1 defendants' counsel shall mail a copy of this Order to counsel for the plaintiff in each Related
2 Action.

3 4. A party to any Related Action may, for good cause shown, move for relief from the
4 terms of this Order only if such motion is filed with the Court and served upon Lead Counsel as set
5 forth herein and upon counsel for defendants within 21 days of the mailing of this Order to counsel
6 for such party. Any party herein may oppose such a motion.

7 5. All papers previously filed and served to date, if any, in the cases consolidated herein
8 are deemed to be and are hereby adopted as part of the record in the Consolidated Action.

9 6. This Order shall be filed in the file of C-06-03468-SI and the entry of the Order shall
10 be docketed in each of the consolidated actions. All papers filed by plaintiffs and defendants under
11 the above-consolidated caption shall be filed only in action C-06-03468-SI.

12 || IT IS SO ORDERED.

DATED:

Susan Illston
THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

Submitted by:

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
TRAVIS E. DOWNS III
BENNY C. GOODMAN III
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s/ Benny C. Goodman III
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7 *I, BENNY C. GOODMAN III, am the ECF user whose ID and password are being used to
file this [PROPOSED] ORDER CONSOLIDATING ACTIONS. In compliance with General
8 Order 45, X.B., I hereby attest that Arthur L. Shingler III has concurred in this filing.*

9
10 SCOTT + SCOTT, LLC
10 ARTHUR L. SHINGLER III
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16 Co-Lead Counsel for Plaintiffs
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CERTIFICATE OF SERVICE

2 I hereby certify that on November 14, 2006, I electronically filed the foregoing with the
3 Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail
4 addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have
5 mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF
6 participants indicated on the attached Manual Notice List.

s/ Benny C. Goodman III
BENNY C. GOODMAN III

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Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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